Comments	Response

CENTENNIAL RANCHES
652 W. Cromwell, Suite 103
Fresno, CA 93711

Respond to:
William J. Thomas
500 Capitol Mall, Suite 1700
Sacramento CA 95814

February 17, 2012

VIA EMAIL

Don Jardine, Board Chair
Harold Singer, Executive Officer
Bruce Warden, Environmental Scientist
Lahontan Regional Water Quality Control Board
2501 Lake Tahoe Blvd
So. Lake Tahoe, CA 96150

RE: PETITION TO EXTEND THE EXISTING WAIVER FOR TWO YEARS TO ALLOW REVIEW FECAL COLIFORM OBJECTIVE OF 20 COLONIES FECAL COLIFORM TO 100 MILLILITERS AND TO SCHEDULE WORKSHOP

Dear Board Chair Jardine, Harold Singer and Bruce Warden:

Centennial Ranches hereby petitions the Lahontan Regional Water Quality Control Board to extend the existing waiver for two years to allow a full review of the Lahontan Regional Board fecal coliform objective, 20 fecal coliform colonies (FCU) per 100 mL, and schedule a workshop for appropriate review of that objective. Such review has to pre-date any hearing on imposing this objective in an amended waiver.

This fecal coliform objective was placed in the Lahontan Regional Board Basin Plan to protect the unique waters of Lake Tahoe without appropriate consideration of its reasonable application to the recreational and agricultural areas within the region. The Lahontan fecal coliform objective is modeled after the United Stated Environmental Protection Agency fecal coliform objective, but is ten times more restrictive in comparison to the federal objective and the objectives in the other regions of the state.

When the Lahontan Regional Board promulgated the existing agricultural waiver in 2006, the Board recognized the questionable reasonableness of the 20 FCU/100 mL fecal coliform objective and advanced an interim objective of 200 FCU/100 mL. When the existing waiver (R6T-2007-0019) was adopted Finding 4 expressly recognized the unusual and extreme nature of the 20 FCU/100 mL, and further stated that the statewide level of 200 FCU/100 mL would fully protect the agricultural and recreation beneficial uses of the valley water. The Finding also expressly stated that the Board would review this standard during the course of the waiver and make appropriate amendments, but it has done neither (see attached Finding 4).

Petition-R1: Water Board staff estimates it will take approximately five years to complete currently funded studies, conduct peer review and complete a fecal coliform Basin Plan amendment, so a two year extension is not appropriate (see response **BRO-R1**).

Petition-R2: A "***Workshop on Livestock Grazing and Water Quality***" is scheduled for the July 11-12, 2012 Water Board meeting. Results-to-date for the fecal coliform Basin Plan amendment will be presented along with the status of other Federal and State indicator bacteria standard development projects. A more comprehensive and specific workshop on the fecal coliform Basin Plan amendment is planned once all data is collected and analyzed, tentatively in 2016.

Petition-R3: The 200/100mL interim standard was chosen because it is more attainable within the 5-yr time frame of the waiver and meets the current Federal standard. The term "interim" implies that there is a different final target, legally, the Basin Plan fecal coliform water quality objective.

Finding 4 of the 2007 waiver states: "If, during the time of this Waiver, the Water Board has sufficient information to propose a Basin Plan Amendment for fecal coliform, Waiver conditions, milestones, and timelines may be revised accordingly." This is neither a promise to review the standard nor a promise to make an amendment to the Basin Plan. Rather, this is a conditional statement with action dependent on whether the Water Board obtains sufficient information during the course of the waiver. Sufficient information did not exist during the course of the 2007 waiver, and studies are ongoing (see response **Petition-R4,** below).

The Water Board meeting audio tapes of the 2006 Grazing Workshop and Triennial Review and the 2007 Grazing Waiver hearing do not contain any oral dialogue that the Water Board found the 20/100mL to be unreasonable or extreme. Any member of the public wishing further information on this including review of audio tapes is invited to contact Water Board staff to obtain access to these materials.

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  Surprisingly, the Board now advances the same overly stringent fecal coliform objective it previously recognized as unreasonable. The imposition of this low fecal coliform objective is a drastic departure from the existing interim standard of 200 FCU/100 mL standard. Requiring such a severe reduction in fecal coliform to the new objective of 20 FCU/100 mL would devastate ranching in the Bridgeport Valley. Therefore, it is now imperative for the Lahontan Regional Board to engage in an appropriate review of the fecal coliform objective in the basin plan. The California Water Code, Porter-Cologne water quality statutes (section 13241) demand that when a regional water board establishes a water quality objective it reflect "a reasonable protection of beneficial uses." (Emphasis added.) It is neither reasonable nor prudent to apply the singularly most restrictive water quality standard in the state to the agricultural areas of the Lahontan region. The Code goes on to provide that "it is recognized that it may be possible for the quality of water to be changed to some degree without unreasonably affecting beneficial uses." In guiding regional boards in the development of water quality standards, the Code also directs the regional board to consider if such standards "could reasonably be achieved," and to take into account "economic considerations." These factors have not been evaluated or reviewed in respect to this fecal coliform objective, which must be thoughtfully considered before imposing the objective on the ranchers of the Bridgeport Valley. This excessively restrictive fecal coliform standard, which is only being imposed upon the Bridgeport Valley, would devastate the local economy. The requirement for reasonableness and regulatory balance is further compelled by California Water Code sections 13050(h) and 13050(l)(l). The request to include this matter on the Lahontan Regional Board's agenda for a workshop to review the new fecal coliform standard is necessary to determine if such statutory provisions have been met in applying this standard to the agricultural areas of the region. This petition now formally requests review of this standard which had been previously advanced, without response, on December 22, 2011. A copy of our December 22, 2011 request is attached for your reference. Very truly yours,  William J. Thomas CENTENNIAL RANCHES attachments cc: Governor Jerry Brown Cal/EPA Secretary Matt Rodriguez 	**Petition-R4:** The Water Board is concerned about the reasonableness of water quality objectives in geographic areas where the dominant beneficial use is agriculture, such as livestock grazing in the Bridgeport Valley. As a result, significant Water Board resources have been used towards assessment of and development of indicator bacteria water quality objectives. For a list of major actions taken, please see Finding No. 5 of the proposed waiver, which states: *The Water Board intends to develop site-specific indicator bacteria water quality objectives that are cognizant of land use and attainable water quality in the Bridgeport Valley. Water Board staff are conducting studies to provide a basis for potential future changes in Water Quality Objectives (WQOs) for indicator bacteria such as fecal coliform, E. coli, and qPCR enterococci (a new rapid indicator bacteria test from USEPA) .* *Recognizing that the USEPA has been advocating use of E. coli as a better indicator test since 1987, Water Board staff have:* • *Collected limited fecal coliform and E. coli data for comparisons since July of 2008;* • *Completed an FY 2008-2010 $60,000 UC Cooperative Extension study comparing fecal coliform to E. coli;* • *Obtained $1,000,000 for FY 2011-2015 Proposition 84 grant for bacterial source tracking (including fecal coliform and E. coli) and evaluation of grazing management practice implementation;* • *Initiated a new $40,000 study, beginning in July, 2012, to assess fecal coliform and E. coli and qPCR enterococci in Sierra Nevada Mountain reference sites where grazing is not common.*

Comments	Response
  Cal/EPA Deputy Secretary Gordon Burns SWRCB Board Chair Charlie Hoppin SWRCB Board Members Francis Spivy-Weber and Tam Doduc SWRCB Executive Officer, Tom Howard CDFA Secretary Karen Ross Senator Ted Gains Senator Tom Berryhill Assemblymember Kristin Olsen Lahontan Regional Board Vice Chair Peter C. Pumphrey Lahontan Regional Board Members Jack Clarke, Keith Dyas, Amy Horne, Ph.D., Eric Sandel 	

Comments	Response

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VIA EMAIL

MEMORANDUM

TO: Harold Singer, Executive Officer
Lauri Kemper, Division Manager
Bruce Warden, Ph.D., Environmental Scientist
Lahontan Regional Water Quality Control Board

FROM: William J. Thomas

DATE: December 22, 2011

RE: ANALYSIS OF 2006-2011 WATER QUALITY MONITORING DATA

Follows are assessments of the monitoring data relative to (A) the 20 col/100 ml issue, and (B) our 6-year data set for § 13267 purposes.

A. Need for amendment of the 20 col/100 ml Lahontan basin plan objective.

A major factor in evaluating a basin plan objective is its reasonableness. Forgetting for the moment about the applicability of this standard to a grazing meadow, a valid analysis is the applicability of this standard to what are believed to be virgin waters coming off the Sierras into the valley. In that regard the 6-year data shows the "into the valley waters" exceed the 20 col. standards somewhat routinely. Consequently, this standard cannot be sustained.

Swauger Creek: 8 exceedances, of the 20 col/100 ml and 4 exceedances of the 200 col/100 ml objective. The high is 71 times the present basin plan standard.

July 09	117 col/100ml
July 20	160 col/100ml
Aug 09	224 col/100ml
Aug 10	118 col/100ml
Sept 09	384 col/100ml
Sept 10	172 col/100ml
Oct. 07	220 col/100ml
Oct. 10	1410 col/100ml

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Buckeye: 9 exceedances of the 20 col/100 ml and 1 over the 200 col/100 ml objective.

June 10	30 col/100ml
July 09	44 col/100ml
July 10	80 col/100ml
Aug 09	83 col/100ml
Aug 10	104 col/100ml
Sept 09	36 col/100ml
Sept 10	20 col/100ml
Oct 09	52 col/100ml
Oct 10	820 col/100ml

Robinson: 7 exceedances of the 20 col/100 ml and 3 over the 200 col/100 ml objective.

May 10	50 col/100ml
July 09	122 col/100ml
Aug 09	496 col/100ml
Aug 10	146 col/100ml
Sept 09	164 col/100ml
Sept 10	260 col/100ml
Oct 10	370 col/100ml

Virginia: 11 exceedances of the 20 col/100 ml and 2 over the 200 col/100 ml objective.

June 09	28 col/100ml
June 10	40 col/100ml
July 07	400 col/100ml
July 09	150 col/100ml
July 10	40 col/100ml
Aug 09	113 col/100ml
Aug 10	44 col/100ml
Sept 09	116 col/100ml
Sept 10	114 col/100ml
Oct. 09	42 col/100ml
Oct. 10	370 col/100ml

Green: 4 exceedances of the 20 col/100 ml and 1 over the 200 col/100 ml objective.

June 09	2 col/100ml
June 10	30 col/100ml
July 10	24 col/100ml
Oct 10	370 col/100ml

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Summer: 4 exceedances of the 20 col/100 ml and 1 of the 200 col/100 ml objective.

June 09	168 col/100ml
June 10	30 col/100ml
July 10	124 col/100ml
Oct 10	370 col/100ml

On balance, over six years of seasonal monitoring the waters above the Bridgeport Valley and irrigated agriculture exceed the present basin plan objective 43 times and even exceed the 200 col/100 ml objective 12 times. These exceedances mostly occur in the 5 month (June – October) time period. This is the same period that cattle are in the valley.

This presents a compelling challenge to the present basin plan objective for the agricultural areas of the region and demands an appropriate amendment.

B. 6-Year Data Analysis

1. Swauger Creek

This data set compels caution in analysis as the livestock use has remarkably changed (cattle pair, sheep, cattle yearlings) over the test period, and the ownership and management have also changed and markedly improved.

There appear to be no issues in any year until June. In June 2009 and again in June 2010, the readings off the ranch significantly exceeded those coming onto the ranch (2009: 12 in, 412 out; 2010: 4 in, 990 out). Those are alarming increases, however, they totally reverse themselves in July (2009: 117 in, 120 out; 2010: 160 in, 190 out). That favorable data held through August, September and October 2009 and 2010 (August 2009: 224 in, 88 out; August 2010: 118 in, 88 out; September 2009: 384 in, 72 out; October 2010: 1410 in, 820 out). On balance, the ranch was properly managed and generally cleaned up water once we got into July, but it certainly needs some additional attention in June.

On balance Swauger Creek is in pretty good shape, but more attention is merited.

2. Buckeye Creek

When we commenced monitoring in 2006 and 2007, Buckeye started exceeding the 200 col objective at US 396 by mid-May, and Buckeye at the reservoir significantly exceeded the objective in 2006 and 2007 in September and October.

Moving to 2011, Buckeye did not exceed the standard until mid-June (330 at US 395), but it was only 28 at US 395, and 100 at the reservoir in July. It was only 74 at US 395, and 420 at the reservoir in August, and by September on all waters were within standards.

This data is very promising as it not only shows marked improvement, but the waters are nearly within standards. If Centennial can duplicate its 2011 efforts, concludes some

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planned runoff controls, and commences its wetland and ponding project, the waters by US 395 will meet the 200 col/100 ml objectives. If Centennial and Gansberg can identify and implement protective strategies between US 395 and the reservoir over the next three years, Buckeye will be a significant success story. It also must be remembered that Buckeye comes into the valley over the objective in mid to late summer. 3. Robinson Creek In 2006 Robinson exceeded the standard commencing in May, but by 2010 and 2011 the May waters were fine at both US 395 and the reservoir. In 2009 and 2010 Robinson waters were surprisingly bad in summer, but in 2011 they were within the 200 col standard at both US 395 and the reservoir. Centennial hopes to duplicate its management efforts to maintain those results, and will be assessing the efforts being planned for Buckeye involving wetlands and settling basins to determine if some of that may be transferable to Robinson Creek. 4. Virginia, Green and Summers Creeks Virginia and Green Creeks have only had a couple of exceedances over the six years, and offer no direct problems. Because, however, they are source waters to the valley, all efforts to further reduce those contributions would be merited. Summers Creek has offered some higher fecal counts in some mid-summer months, but in 2011 it was also within the objective. 5. East Walker River The Walker River picks up not just the Green, Virginia and Summers waters, but considerable runoff waters from the Rickey Ditch and other valley waters. In some years, this has raised levels above the objective when it reached town. The E. Walker also generally picks up additional fecals passing through town. In 2011, however, it exceeded the objective only twice, once in July (250) and once in September (440). Management efforts have shown to be effective in 2011 and, hopefully, quality will maintain or improve next year. Again, Centennial is going to evaluate the efforts that are planned on Buckeye in 2012-2014 relating to settling ponds and wetlands for possible incorporation on some of the Walker tributary drainage.	

BRO - Public Data [2006 - 2011]
Water Quality Monitoring Data By Station

	Sample Number													
Sample Date	0	1	2	3	4	5	6	7	8	9	10	11	12	13
11-Apr-06	2	6	<2	<2	22	<2	<2	<2	<2	<2	<2	10		
10-Apr-08	<2	2	<2	<2	<2	28	<2	n/a	16	2	<2	<2	<2	
6-Apr-09	Fecal 0	Fecal 20	Fecal 4	Fecal 0	Fecal 7	Fecal 1	Fecal 0	Fecal 2	Fecal 8	Fecal 0	Fecal 0	Fecal 3	Fecal n/a	
	Ecoli 0	Ecoli 7	Ecoli 4	Ecoli 0	Ecoli 2	Ecoli 1	Ecoli 1	Ecoli 1	Ecoli 1	Ecoli 1	Ecoli 0	Ecoli 1	Ecoli n/a	
12-Apr-10	Fecal 1	Fecal n/a	Fecal 3	Fecal 1	Fecal 17	Fecal 1	Fecal 2	Fecal 3	Fecal 3	Fecal 15	Fecal 1	Fecal 5	Fecal 6a	
	Ecoli 2	Ecoli n/a	Ecoli 4	Ecoli 0	Ecoli 15	Ecoli 1	Ecoli 1	Ecoli 2	Ecoli 2	Ecoli 10	Ecoli 1	Ecoli 4	Ecoli 4	
8-Apr-11	<2	2	<2	<2	<2	6	2	<2	4	2	2	2	2	2
1-May-06	<2	2	<2	<2	20	2	<2	2	8	10	28	20		
15-May-06	4	8	4	4	24	4	12	360	380	400	300	138		
10-May-07	2	8	<2	<2	20	8	6	960	110	18	14	4		
7-May-08	<2	<2	<2	<2	2	<2	8	2	4	<2	<2	72	28	
4-May-09	Fecal 1	Fecal 38	Fecal 6	Fecal 0	Fecal 6	Fecal 2	Fecal 1	Fecal 11	Fecal 34	Fecal 109	Fecal 87	Fecal 308	Fecal 414	
	Ecoli 1	Ecoli 28	Ecoli 4	Ecoli 1	Ecoli 3	Ecoli 0	Ecoli 0	Ecoli 7	Ecoli 33	Ecoli 69	Ecoli 51	Ecoli 264	Ecoli 345	
3-May-10	Fecal 1	Fecal 16	Fecal 9	Fecal 50	Fecal 7	Fecal 9	Fecal 5	Fecal 24	Fecal 13	Fecal 22	Fecal 15	Fecal 16	Fecal 14	
	Ecoli 0	Ecoli 2	Ecoli 4	Ecoli 9	Ecoli 4	Ecoli 4	Ecoli 1	Ecoli 19	Ecoli 9	Ecoli 20	Ecoli 17	Ecoli 14	Ecoli 13	
5-May-11	<2	6	n/a	<2	<2	<2	<2	<2	2	<2	2	<2	<2	<2
5-Jun-06	6	44	28	2	52	20	66	700	720	740	640	640		
19-Jun-06	12	82	14	6	34	50	36	260	420	92	140	720		
11-Jun-07	2	88	<2	<2	8	18	310	230	210	270	220	320		
6-Jun-08	<2	190	<2	<2	12	2	18	180	220	260	150	290	240	
1-Jun-09	Fecal 12	Fecal 412	Fecal 12	Fecal 6	Fecal 28	Fecal 21	Fecal 168	Fecal 144	Fecal 188	Fecal 304	Fecal 600	Fecal 200	Fecal 400	
	Ecoli 28	Ecoli 348	Ecoli 18	Ecoli 1	Ecoli 32	Ecoli 14	Ecoli 128	Ecoli 188	Ecoli 152	Ecoli 280	Ecoli 500	Ecoli 300	Ecoli 400	
7-Jun-10	Fecal 4	Fecal 990	Fecal 30	Fecal 4	Fecal 40	Fecal 30	Fecal 190	Fecal 1740	Fecal 2210	Fecal 1830	Fecal 2680	Fecal 1480	Fecal 1830	
	Ecoli 3	Ecoli 690	Ecoli 20	Ecoli 4	Ecoli 10	Ecoli 24	Ecoli 84	Ecoli 1150	Ecoli 1400	Ecoli 1660	Ecoli 2270	Ecoli 890	Ecoli 1030	
13-Jun-11	<2	450	<2	<2	8	6	10	330	520	24	150	140	160	<2
10-Jul-06	<2	<2	<2	<2	<2	<2	2	18	4	54	56	46		
17-Jul-06	68	70	18	8	78	16	140	<2	26	54	160	198		
12-Jul-07	120	260	64	18	400	6	92	420	210	740	390	60		
17-Jul-08	8	300	8	13	130	30	50	300	1600	280	200	300	360	
6-Jul-09	Fecal 117	Fecal 120	Fecal 44	Fecal 122	Fecal 150	Fecal 4	Fecal 130	Fecal 1148	Fecal 784	Fecal 540	Fecal 440	Fecal 400	Fecal 400	
	Ecoli 48	Ecoli 116	Ecoli 35	Ecoli 3	Ecoli 50	Ecoli 1	Ecoli 70	Ecoli 708	Ecoli 420	Ecoli 408	Ecoli 380	Ecolu 100	Ecoli 500	
6-Jul-10	Fecal 160	Fecal 190	Fecal 80	Fecal 16	Fecal 40	Fecal 24	Fecal 38	Fecal 136	Fecal 312	Fecal 276	Fecal 360	Fecal 400	Fecal 1200	
	Ecoli 170	Ecoli 120	Ecoli 80	Ecoli 4	Ecoli 40	Ecoli 12	Ecoli 20	Ecoli 80	Ecoli 172	Ecoli 204	Ecoli 276	Ecolu 400	Ecoli 300	
18-Jul-11	8	870	10	<2	20	8	110	28	100	130	50	250	160	<2

Comments

Response

Comments

7-Aug-06	90	130	36	6	missing	missing	missing	160	220	60	74	122		
21-Aug-06	120	130	58	8	54	16	120	210	580	360	120	220		
9-Aug-07	58	290	4	8	60	4	42	680	130	270	420	50		
6-Aug-08	20	100	4	2	20	<2	10	1600	80	200	180	40	<20	
3-Aug-09	Fecal 224	Fecal 88	Fecal 83	Fecal 496	Fecal 113	Fecal 3	Fecal 312	Fecal 508	Fecal 900	Fecal 1500	Fecal 372	Fecal 144	Fecal 212	
	Ecoli 92	Ecoli 44	Ecoli 61	Ecoli 12	Ecoli 51	Ecoli 3	Ecoli 156	Ecoli 352	Ecoli 100	Ecoli 2400	Ecoli 324	Ecoli 124	Ecoli 124	
2-Aug-10	Fecal 118	Fecal 88	Fecal 104	Fecal 146	Fecal 44	Fecal 10	Fecal 990	Fecal 168	Fecal 380	Fecal 330	Fecal 460	Fecal 330	Fecal 360	
	Ecoli 46	Ecoli 88	Ecoli 56	Ecoli 12	Ecoli 16	Ecoli 6	Ecoli 400	Ecoli 96	Ecoli 240	Ecoli 210	Ecoli 110	Ecoli 190	Ecoli 150	
19-Aug-11	46	130	84	8	28	6	14	74	420	240	120	70	86	<2
7-Sep-06	82	102	94	44	40	106	32	122	480	122	102	500		
18-Sep-06	166	48	18	10	missing	missing	missing	240	720	240	220	480		
13-Sep-07	12	18	22	6	26	2	16	190	260	220	520	640		
12-Sep-08	110	34	10	4	56	6	80	1400	240	170	76	240	460	
8-Sep-09	Fecal 384	Fecal 72	Fecal 36	Fecal 164	Fecal 116	Fecal 4	Fecal 376	Fecal 240	Fecal 370	Fecal 540	Fecal 112	Fecal 248	Fecal 180	
	Ecoli 120	Ecoli 46	Ecoli 10	Ecoli 4	Ecoli 22	Ecoli 8	Ecoli 172	Ecoli 132	Ecoli 340	Ecoli 220	Ecoli 92	Ecoli 160	Ecoli 100	
13-Sep-10	Fecal 172	Fecal 200	Fecal 20	Fecal 260	Fecal 114	Fecal 4	Fecal 220	Fecal 424	Fecal 1800	Fecal 290	Fecal 560	Fecal 280	Fecal 360	
	Ecoli 62	Ecoli 128	Ecoli 18	Ecoli 0	Ecoli 30	Ecoli 4	Ecoli 130	Ecoli 328	Ecoli 1260	Ecoli 200	Ecoli 430	Ecoli 120	Ecoli 170	
16-Sep-11	28	230	50	12	12	2	8	96	240	200	180	440	360	<2
2-Oct-06	<2	54	18	30	8	300	60	38	380	200	100	320		
18-Oct-06	2	92	8	<2	640	2	<2	8	100	108	12	46		
5-Oct-07	220	30	4	<2	6	12	4	38	260	130	48	480		
10-Oct-08	6	68	10	<2	8	4	10	20	90	82	64	28	48	
5-Oct-09	Fecal 56	Fecal 56	Fecal 52	Fecal 92	Fecal 42	Fecal 4	Fecal 80	Fecal 28	Fecal 180	Fecal 88	Fecal 184	Fecal 156	Fecal 280	
	Ecoli 28	Ecoli 18	Ecoli 40	Ecoli 2	Ecoli 14	Ecoli 6	Ecoli 47	Ecoli 8	Ecoli 80	Ecoli 44	Ecoli 160	Ecoli 184	Ecoli 108	
4-Oct-10	Fecal 1410	Fecal 1170	Fecal 820	Fecal 370	Fecal 392	Fecal 370	Fecal 1220	Fecal 6600	Fecal 10000	Fecal 30000	Fecal 8800	Fecal 2200	Fecal 1780	
	Ecoli 1040	Ecoli 860	Ecoli 460	Ecoli 100	Ecoli 276	Ecoli 350	Ecoli 730	Ecoli 4700	Ecoli 8300	Ecoli 16500	Ecoli 7300	Ecoli 1820	Ecoli 1480	
00-Oct-11	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
13-Nov-06	<2	18	<2	<2	10	<2	42	<2	12	<2	4	<2		
9-Nov-07	2	2	20	<2	16	<2	<2	30	38	76	54	120		
6-Nov-08	4	20	70	<2	4	4	4	64	92	36	26	110	92	
2-Nov-09	Fecal 6	Fecal 16	Fecal 10	Fecal 6	Fecal 14	Fecal 7	Fecal 0	Fecal 22	Fecal 40	Fecal 35	Fecal 76	Fecal 60	Fecal 100	
	Ecoli 2	Ecoli 8	Ecoli 6	Ecoli 2	Ecoli 4	Ecoli 2	Ecoli 0	Ecoli 16	Ecoli 90	Ecoli 30	Ecoli 24	Ecoli 28	Ecoli 88	
00-Nov-10	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	
4-Nov-11	<2	48	<2	<2	<2	2	22	6	42	56	26	34	54	<2

LOCATIONS

0		Swauger Creek above Huntoon Valley
1		Swauger Creek
2		Buckeye above ranch
3		Robinson above ranch
4		Virginia Creek
5		Green Creek
6		Summers Creek

7		Buckeye 395
8		Buckeye Reservoir
9		Robinson 395
10		Robinson Reservoir
11		Walker at town
12		Walker below town

Response

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  c. Monitoring results must be made available to the public. d. The Water Board may include as a condition of a waiver the payment of an annual fee established by the State Water Resources Control Board (State Water Board). At the time of this hearing, the State Water Board has not established annual fee regulations with respect to grazing operations. e. The Waiver requires compliance with monitoring conditions consistent with the amendments to Water Code section 13269. 3. Basin Plan On March 31, 1995, the Water Board adopted a Water Quality Control Plan for the Lahontan Region (Basin Plan) that establishes beneficial uses, water quality objectives, waste discharge prohibitions, and implementation policies that apply to waters of the State and discharges to waters of the State within the Lahontan Region. 4. Fecal Coliform Water Quality Objective The Water Board has set the Region-wide water quality objective for fecal coliform at 20 colonies per 100 ml, ten times more stringent than the Federal standard at 200 colonies per 100 ml and any other Region in California, recognizing that waters in the Lahontan Region are generally pristine, and recreation is the major use of these waters. USEPA finds the Federal standard to be protective of water contact recreational beneficial uses. However, during the Grazing workshop and Triennial Review of the October 11, 2006 Water Board meeting, the Water Board heard public comments regarding revising the fecal coliform standard to be consistent with Federal standards for areas, such as Bridgeport Valley, where beneficial uses have historically been predominantly agricultural. If, during the time of this Waiver, the Water Board has sufficient information to propose a Basin Plan Amendment for fecal coliform, Waiver conditions, milestones, and timelines may be revised accordingly. 5. Nonpoint Source Implementation and Enforcement Policy The discharge of nonpoint source pollution from agricultural grazing operations, within the Lahontan Region is considered to be a discharge of waste that could affect the quality of waters of the State, as defined in Section 13260 of the California Water Code. Potential water quality degradation from such grazing activities has not been regulated prior to this, but the State Water Resources Control Board May 20, 2004 *Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program* (NPS Policy) requires that all sources of nonpoint source pollution be regulated through Waste Discharge Requirements (WDR), waivers to WDRs, or prohibitions. The NPS Policy encourages the Water Board "to be as creative and efficient as possible in devising approaches to prevent or control NPS pollution." This includes development of third-party programs, including coalitions of Dischargers, such as the	

Comments	Response
CENTENNIAL RANCHES 652 W. Cromwell, Suite 103 Fresno, CA 93711 **Respond to:** **William J. Thomas** **500 Capitol Mall, Suite 1700** **Sacramento CA 95814** February 17, 2012 **VIA EMAIL** Don Jardine, Board Chair Bruce Warden, Environmental Scientist Harold Singer, Executive Officer ***Lahontan Regional Water Quality Control Board*** 2501 Lake Tahoe Blvd So. Lake Tahoe, CA 96150 **RE: REQUEST FOR EXTENSION OF COMMENTS AND DELAY OF WAIVER** Dear Board Chair Jardine, Harold Singer and Bruce Warden: The undersigned Bridgeport Ranchers join in each of Centennial Ranches' 1) the request for comment extension, and 2) the request for extension of the existing waiver and scheduling of a workshop to discuss the reasonable applicability of the fecal coliform objective in the Lahontan basin plan. Signed at Gardnerville, Nevada: Todd Gansberg (Gansberg Ranch & Pres. BRO) Jeffrey B. Hunewill (Hunewill Land & Livestock Co.) Steven A. Fulstone (RN Fulstone Co.) Ted Borda (Borda Land & Stock) Marianne J. Lemasson (FIM CORP) (Point Ranch) Mark Bacey (Bacey Livestock) Gary Ullman (Ullman Livestock) 09897.00000\7318252.1	**Petition-R5:** Another 30-day public comment period was given for the second tentative draft grazing waiver issued on May 4, 2012 until June 4, 2012. Consequently, the Water board hearing was delayed three months to July 2012 and a grazing workshop was scheduled for the July 2012 Water Board meeting.

Comments	Response
cc: Board Vice Chair, Peter C. Pumphrey Board Members, Jack Clarke, Keith Dyas, Amy Horne, Ph.D., Eric Sandel 09897.00000\7318252.1	